

ESHB 1216 - S COMM AMD

By Committee on Ways & Means

ADOPTED 4/26/2009

1 On page 238, after line 36, insert the following:

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4 **"Sec. 6028** RCW 28A.335.210 and 2006 c 263 s 327 are each amended
5 to read as follows:

6 (1) The superintendent of public instruction shall allocate, as a
7 nondeductible item, out of any moneys appropriated for state
8 assistance to school districts for the original construction of any
9 school plant facility the amount of one-half of one percent of the
10 appropriation to be expended by the Washington state arts commission
11 for the acquisition of works of art. The works of art may be placed
12 in accordance with Article IX, sections 2 and 3 of the state
13 Constitution on public lands, integral to or attached to a public
14 building or structure, detached within or outside a public building or
15 structure, part of a portable exhibition or collection, part of a
16 temporary exhibition, or loaned or exhibited in other public
17 facilities. The Washington state arts commission shall, in
18 consultation with the superintendent of public instruction, determine
19 the amount to be made available for the purchase of works of art under
20 this section, and payments therefor shall be made in accordance with
21 law. The designation of projects and sites, selection, contracting,
22 purchase, commissioning, reviewing of design, execution and placement,
23 acceptance, maintenance, and sale, exchange, or disposition of works
24 of art shall be the responsibility of the Washington state arts
25 commission in consultation with the superintendent of public
26 instruction and representatives of school district boards of
27 directors. The superintendent of public instruction and the school

1 district board of directors of the districts where the sites are
2 selected shall have the right to:

3 ~~((1))~~ (a) Waive its use of the one-half of one percent of the
4 appropriation for the acquisition of works of art before the selection
5 process by the Washington state arts commission;

6 ~~((2))~~ (b) Appoint a representative to the body established by
7 the Washington state arts commission to be part of the selection
8 process with full voting rights;

9 ~~((3))~~ (c) Reject the results of the selection process;

10 ~~((4))~~ (d) Reject the placement of a completed work or works of
11 art on school district premises if such works are portable.

12 Rejection at any point before or after the selection process shall
13 not cause the loss of or otherwise endanger state construction funds
14 available to the local school district. Any works of art rejected
15 under this section shall be applied to the provision of works of art
16 under this chapter, at the discretion of the Washington state arts
17 commission, notwithstanding any contract or agreement between the
18 affected school district and the artist involved. In addition to the
19 cost of the works of art the one-half of one percent of the
20 appropriation as provided in this section shall be used to provide for
21 the administration, including conservation of the state art
22 collection, by the Washington state arts commission and all costs for
23 installation of the work of art. For the purpose of this section
24 building shall not include sheds, warehouses, or other buildings of a
25 temporary nature.

26 The executive director of the arts commission, the superintendent
27 of public instruction, and the Washington state school directors
28 association shall appoint a study group to review the operations of
29 the one-half of one percent for works of art under this section.

30 (2) The Washington state arts commission shall restrict the purchase
31 of works of art to artists residing in Washington state.

32
33 **Sec. 6029** RCW 28B.10.027 and 2005 c 36 s 3 are each amended to
34 read as follows:

1 (1) All universities and colleges shall allocate as a nondeductible
2 item, out of any moneys appropriated for the original construction or
3 any major renovation or remodel work exceeding two hundred thousand
4 dollars of any building, an amount of one-half of one percent of the
5 appropriation to be expended by the Washington state arts commission
6 with the approval of the board of regents or trustees for the
7 acquisition of works of art. The works of art may be placed on public
8 lands of institutions of higher education, integral to or attached to
9 a public building or structure of institutions of higher education,
10 detached within or outside a public building or structure of
11 institutions of higher education, part of a portable exhibition or
12 collection, part of a temporary exhibition, or loaned or exhibited in
13 other public facilities.

14 (2) In addition to the cost of the works of art, the one-half of one
15 percent of the appropriation shall be used to provide for the
16 administration of the visual arts program, including conservation of
17 the state art collection, by the Washington state arts commission and
18 all costs for installation of the work of art. For the purpose of
19 this section building shall not include sheds, warehouses, and other
20 buildings of a temporary nature.

21 (3) The Washington state arts commission shall restrict the purchase
22 of works of art to artists residing in Washington state.

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24 **Sec. 6030** RCW 43.17.200 and 2005 c 36 s 4 are each amended to
25 read as follows:

26 (1) All state agencies including all state departments, boards,
27 councils, commissions, and quasi public corporations shall allocate,
28 as a nondeductible item, out of any moneys appropriated for the
29 original construction of any public building, an amount of one-half of
30 one percent of the appropriation to be expended by the Washington
31 state arts commission for the acquisition of works of art. The works
32 of art may be placed on public lands, integral to or attached to a
33 public building or structure, detached within or outside a public
34 building or structure, part of a portable exhibition or collection,

1 part of a temporary exhibition, or loaned or exhibited in other public
2 facilities. In addition to the cost of the works of art, the one-half
3 of one percent of the appropriation as provided herein shall be used
4 to provide for the administration of the visual arts program,
5 including conservation of the state art collection, by the Washington
6 state arts commission and all costs for installation of the works of
7 art. For the purpose of this section building shall not include
8 highway construction sheds, warehouses or other buildings of a
9 temporary nature.

10 (2) The Washington state arts commission shall restrict the purchase
11 of works of art to artists residing in Washington state."

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EFFECT: Restricts the half percent for the arts program to
Washington state artists

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